

Family Mediator Certification Board
Minutes
November 18, 2015

Present: E. Jasina, C. Sadler, T. Sturke, R. Cram, M. Garner, P. Goldsmith, E. Christensen, B. Sturke and E. Dinerstein
Excused: M. Rousseau and C. Dochstader
Also present: P. Heinrich

T. Sturke called the meeting to order at 4:00 PM.

Approval of Prior Minutes

P. Goldsmith made a MOTION to approve the minutes from September 9, 2015 with a correction. Second: B. Sturke. MOTION PASSED.

C. Sadler made a MOTION to approve the Non-Public minutes from September 9, 2015. Second: B. Sturke. MOTION PASSED.

C. Sadler made a MOTION to approve the minutes from the Adjudicatory Hearing held on October 14, 2015 with a correction. In addition, M. Garner requested that P. Heinrich review the tape and clarify the name and date of the ex-parte order that the Board requested. Second: B. Sturke. MOTION PASSED 8 – 0 – 1; E. Jasina abstaining.

T. Sturke made a MOTION to approve the Public minutes from October 14, 2015. Second: E. Christensen. MOTION PASSED 8 – 0 – 1; E. Jasina abstaining.

Continuing Education Approval Requests

T. Sturke made a MOTION to approve the on-line course “Practical Neuro Literacy” presented by Pauline Tessier and sponsored by NHBA for 6 hours of “Other” continuing education credit. Second: E. Christensen. MOTION PASSED.

B. Sturke made a MOTION to approve “Ethics – Considering DV in Divorce and Parenting” to be presented by Honey Hastings on May 20, 2016 for 3 hours of Mediator Ethics continuing education credit. Second: E. Christensen. MOTION PASSED.

E. Dinerstein made a MOTION to approve “Taking the War out of Words – Mediation Training” presented by Sharon Strand Ellison and sponsored by US District Court and OMA on November 5-6, 2015 for 12 hours of Mediator Skills continuing education training. Second: T. Sturke. MOTION PASSED.

P. Goldsmith made a MOTION to request that Jane Vaillancourt submit additional information to include detailed course outlines and an explanation of how the course relates to mediation for “In the Best Interests of the Child” presented by the Mass. GAL Association and “Partnering for a Future Without Violence” presented by the AG’s Task Force on Domestic Violence. Second: B. Sturke. MOTION PASSED.

Administrative Assistant’s Report

T. Sturke told the Board that one of the effects of the Board becoming part of the Office of Professional Licensure and Certification was the need to revise the Board’s Administrative

Rules. She suggested teams of members might review different sections and asked members to think about what changes they wanted to include. She also reminded members that one change was the inclusion of a new application question about agreeing and abiding by the DV Protocols.

Mediator Concerns re: DV Protocols

Members discussed the issues raised in two emails sent to the Board by Mediator Meredith Richardson regarding the new DV Protocols.

Discussion included:

- 1st email dealt with safety concerns if the mediator is a reporter. 2nd email dealt with logistics: who does screening, how to get paid for time spent.
- There is a need for training on the new protocols – possibly a roundtable presentation with E. Jasina and a certified mediator as facilitators.
- Training could include mock screenings and ways for mediators to safely address DV concerns that may be raised.
- Members were concerned that DV screening by mediators is not regularly occurring and that if it is, mediators may not be taking appropriate follow-up steps.

E. Christensen made a MOTION to send a letter to Ms. Richardson thanking her for her emails and stating that the Board is looking into opportunities for training on the DV protocols and her concerns. Second: T. Sturke. MOTION PASSED.

T. Sturke told the Board that she and E. Christensen would contact Molly Brown to set up another meeting and would also ask for possible help with this training.

Non-Public Session I: RSA 91-A:3 II c.

T. Sturke made a MOTION to go into Non-Public Session under RSA 91-A:3, IIc: Personal. Second: E. Christensen. A roll call vote was held. MOTION PASSED.

The Board began Non-Public Session at 4:45 PM.

The Board resumed Public Session at 5:10 PM.

B. Sturke made a MOTION to SEAL the Non-Public minutes. Second: T. Sturke. MOTION PASSED.

Hearing Discussion

T. Sturke confirmed that B. Sturke had listened to the rest of the hearing tape and asked Hearing Presiding Officer M. Garner to lead the discussion.

M. Garner suggested that each member should share what ideas, issues and concerns each felt needed to be addressed.

Issues raised included the following:

- Ms. Ashford acknowledged that she had violated two court rules regarding honesty and competency.
- Mediators have different roles than attorneys and GALs. Mediators need to understand the boundaries between these professions.

- Ms. Ashford has complied with all the conditions of the sanctions.
- This hearing was to reconsider a denial for initial certification, not an action taken in response to a sanction given to a certified mediator by another licensing, certifying, or approving authority.
- Ms. Ashford did not tell the Board about the second complaint.
- Ms. Ashford prepared for the hearing by reviewing the issues raised in the P.C.C. complaints.
- One does not have to be certified by this Board to mediate.

M. Garner asked the members how they wanted to proceed.

C. Sadler asked for an opportunity to review the documents Attorney Hilliard had submitted in response to the hearing request and suggested the vote could be revisited when the order was written if members desired.

C. Sadler made a MOTION to deny the request for reconsideration and maintain the denial of the initial application for certification. Second: B. Sturke. MOTION PASSED unanimously.

C. Sadler offered to draft the order for review and discussion at the next meeting.

Next Meeting

T. Sturke asked members whether they wanted to hold a meeting in December. By consensus, members agreed not to hold a December meeting.

T. Sturke asked the members to consider holding meetings on Tuesdays instead of Wednesdays. By consensus, members agreed to hold the January meeting on January 5th, Location TBA and at that meeting, decide future meeting day and dates.

T. Sturke declared the meeting adjourned at 6:17 PM

Respectfully submitted,

Pat Heinrich